IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1803 OF 2007

Lalchand Kalyandas Rupani. ...Applicant

Versus

The State of Maharashtra ...Respondent.

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Mr.Ganesh Gole, Adv. for the Applicant.

Mr.S.S.Pednekar, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : 21st June, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking anticipatory bail in C.R.No.I-98 of 2007 of Ulhasnagar Police Station. The said case is under Sections 420, 406 of IPC.

3. Mr.Gole, the learned Advocate for the applicant has submitted that after the application of the applicant for anticipatory bail was rejected by the Sessions Court, thereafter coaccused Indarlal Hurchumal Basantani, Haresh Hurchumal Basantani, Indarlal R. Warliyani, Ajit

Mohandas Chandanani and Madhu Ajit Chandanani and others were released on anticipatory bail by the Sessions Court. Mr.Gole, submitted that the case of the applicant stands on a better footing than that of the coaccused who were granted anticipatory bail.

4. In this view of the matter, in my opinion, the applicant ought to be given an opportunity to prefer a fresh application for anticipatory bail before the Sessions Court especially on this ground. The learned Sessions Judge shall decide the application of applicant for anticipatory bail on merits without being influenced by the order dated 29.5.2007 of Sessions Court.

5. To enable the applicant to prefer necessary application before the Sessions Court, interim protection granted to the applicant is extended for a period of two weeks from today. In the meantime, applicant shall report to the concerned police station as and when called and cooperate with the investigating agency.

6. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)